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10/694,837	10/29/2003	Shuichi Kumada	000862.023281.	2477

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EXAMINER	
VO, QUANG N	
ART UNIT	PAPER NUMBER
2625	
MAIL DATE	DELIVERY MODE
02/07/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/694,837	KUMADA, SHUICHI	
	Examiner	Art Unit	
	Quang N. Vo	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 December 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 5-18* is/are pending in the application.

4a) Of the above claim(s) *7-12 and 14-16* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,5,6,13,17-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/24/07;4/10/08*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 1, 5-6, 13, 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spronk (US Pub. No. 20030123072) in view of Kumada (US 6,430,311).

Regarding claim 17, Spronk discloses an image processing apparatus for performing print simulation through a computer network (e.g., a color management system 10, figure 1, paragraph 0046), comprising: a device selector (e.g., the color management unit 16, paragraph 0051), arranged to select a target printer on the network as a print simulation target (e.g., color printer 18, figure 1), and to select another printer on the network which is used to output a simulation result of the target printer (e.g., printing press 22, figure 1, paragraphs 0049, 0050), wherein the image processing apparatus and the other printer are present at a single site (e.g., the image preparation apparatus 14 and printing press 22, figure 1), the target printer is present at another site (e.g., color printer 18, figure 1), and the two sites are connected through the

network (e.g., distributed network 28, figure 1, paragraph 0046); a profile selector (e.g., ID creator unit 20, figure 1, paragraph 50), arranged to select a profile required for a color matching process (e.g., color printer profile and printing press profile, paragraph 0050) of the print simulation through the network (e.g., local area network (LAN) and distributed network, figure 1), and to set the selected profile in the target printer (e.g., color printer profile, paragraph 0050); a first transmitter (e.g., image data corresponding to the image constructed by the workstation 36 (transmitter) is supplied to the color management unit 16, paragraph 0049), arranged to transmit image data on which are to be performed a color matching process and a rasterizing process, wherein the target printer performs the color matching process according to the selected profile on received image data (e.g., the color management unit 16 is configured to provide the capability of maintaining control over color rendering among various devices and media such as between the printing press 22 and the color printer 18, paragraph 0051), and rasterizes the image data on which the color matching process has been performed (e.g., a raster image processor (RIP) 50 executing on the color management unit 16 utilizes a printer identification ("ID") profile and a press ID profile in converting input image data received from the workstation 36 into the device-dependent color space of the color printer 18, paragraph 0050); a receiver (e.g., color management unit 16, figure 1), arranged to receive rasterized image data from the target printer (e.g., target printer, figure 2); and a second transmitter (e.g., the printing press image preparation apparatus 14/workstation 36 interfaces with a printing press 22 through a standard local area network (LAN), figure 1), arranged to transmit the received and rasterized image data to

the simulation output printer so as to print an image that simulates color of an image which the target printer will print (e.g., The printing press is then configured to produce printed output corresponding to the image constructed by the user of the workstation 36, paragraph 0048); and converts the rasterized image data into image data having the selected image format (e.g., the system further includes a raster image processor (RIP) operative to generate the output image file on the basis of the input image file, the input device ID profile and the output device ID profile, paragraph 0018).

Spronk does not explicitly disclose wherein the whole of the image processing apparatus and the other printer are present at a single site.

Since Spronk discloses the color management system 10 (as a whole emphasized) includes a printing press image preparation apparatus 14, a color management unit 16, an imaging device such as a color printer 18, and an ID creator unit 20, para. 46. Thus the whole color management system 10 including the printing press is one system regardless of at a single site or at different site. Moreover, a system with different devices connected by cables either at a single site or different sites are only different how long cables connecting each other.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have recognized Spronk disclosing wherein the whole of the image processing apparatus and the other printer are present at a single site, or at least perform function of wherein the whole of the image processing apparatus and the other printer are present at a single site.

Spronk discloses include a file creation module 1852 for generating "pre-screened" files in which color data is stored in a printer-independent format after having been subjected to each of the data processing operations described above (e.g., interpreting, rendering, color transformations). The RIP 50 may also incorporate a processed job archive 1858 in which completed jobs are stored for quick "re-printing" without again being required to be processed by the RIP 50, paragraph 0230. Thus Spronk suggesting that the plurality of profiles including processed job archive are stored for searching out and reprinting.

Spronk does not explicitly disclose wherein the profile selector searches a database arranged in the other site, at which the target printer is present, for the selected profile to acquire the selected profile, and if the selected profile is not searched from the database arranged in the other site, the profile selector searches a database arranged in the single site, at which the image processing apparatus is present, for the selected profile to acquire the selected profile; wherein the device selector, the profile selector, and the format selector use a common user interface to select the devices, the profile, and the image format, and the common user interface displays a name of the other site at which the target printer is present.

Kumada discloses wherein the profile selector searches a database arranged in the other site, at

which the target printer is present, for the selected profile to acquire the selected profile (e.g., sending low-resolution data in the image file to the network client by the network server when a color matching result is confirmed at the network client, column 3, lines

3-7. Note: Thus searching is arranged in the other site; network server 3 with profile storage 32 in which m (m is a constant) device profiles (monitor, scanner, printer) are stored, Fig. 3, column 4, lines 50-61. Note: at column 5, lines 54-59, Kumada discloses "if the profile is added to the header information part, the processing goes to the step S102, then network server 3 extracts the profile from the header information part and down-loads to network client 1 as a source profile". Thus the server 3 must search for the right profile to download), and if the selected profile is not searched from the database arranged in the other site, the profile selector searches a database arranged in the single site, at which the image
processing apparatus is present, for the selected profile to acquire the selected profile (e.g., means for performing color matching process on the low-resolution data by the network client, and displaying a result of the color matching process by a monitor when a color matching result is confirmed at the network client, column 3, lines 7-11); wherein the device selector, the profile selector, and the format selector usea common user interface to select the devices, the profile, and the image format, and the common user interface displays a name of the other site at which the target printer is present (e.g., block 1, Fig. 3).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Spronk to include wherein the profile selector searches a database arranged in the other site, at which the target printer is present, for the selected profile to acquire the selected profile, and if the selected profile is not searched from the database arranged in the other site, the profile selector searches a database

arranged in the single site, at which the image processing apparatus is present, for the selected profile to acquire the selected profile as taught by Kumada. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Spronk by the teaching of Kumada to use the functions of the network server and the network client efficiently for color matching process and to improve the color management system for applying it to the network system, Kumada, column 1, lines 55-62.

With regard to claim 5, Spronk discloses further comprising a designator arranged to designate a data format of the image data to be received (e.g., The workstation 36 may receive input image data from a variety of sources, such as from an image scanner 38, paragraph 0047), which has performed the color matching process and the rasterizing process (e.g., the resultant processed image data is supplied to the color printer 18 in order that it may print a proof of the image constructed by the workstation 36, paragraph 0050. Note: since the image data supplied to the color printer 18 to print a proof of the image constructed by the workstation 36**.** Thus the workstation 36 process the colors and rasterizes the image data to produce printing plates, paragraph 0048), and wherein communication section informs the target printer of the designated data format (paragraph 0050, 0051).

With regard to claim 6, Spronk discloses wherein the target printer rasterizes the image data that has performed the color matching process to bitmap data, converts the rasterized bitmap data to image data of the designated data format, and transmits the converted image data to image processing apparatus (e.g., After the input image data

is processed by the color management unit 16 on the basis of these stored ID profiles, the resultant processed image data is supplied to the color printer 18 in order that it may print a proof of the image constructed by the workstation 36, paragraph 0050).

Referring to claim 18:

Claim 18 is the method claim corresponding to operation of the device in claim 17 with method steps corresponding directly to the function of device elements in claim 17. Therefore claim 18 is rejected as set forth above for claim 17.

Regarding claim 1, the subject matter is similar to claim 17 It is only broader in limitation than claim 17. Therefore claim 1 is rejected as set forth above for claim 17.

Referring to claim 13:

Claim 13 is the method claim corresponding to operation of the device in claim 1 with method steps corresponding directly to the function of device elements in claim 1. Therefore claim 13 is rejected as set forth above for claim 1.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Vo whose telephone number is (571)270-1121. The examiner can normally be reached on 7:30AM-5:00PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Quang N Vo/
Examiner, Art Unit 2625

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/David K Moore/
Supervisory Patent Examiner, Art Unit 2625